

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: ACandS, Inc.)	Bankruptcy Case No. 02-12687 (JKF)
)	
)	
MICHAEL POPE, <i>et al.</i> ,)	Civil Action No. 04-1406 (JJF)
)	
Appellants,)	
)	
v.)	Adversary Case No. 04-55225 (PBL)
)	
DAN B. LAIN, <i>et al.</i> ,)	
)	
Appellees)	

**ORDER DISMISSING APPEAL
PURSUANT TO BANKRUPTCY RULE 8001(C)(2)**

WHEREAS, on October 28, 2004, Appellants filed a Notice of Appeal of the Order of the Honorable Judith K. Fitzgerald, United States Bankruptcy Judge, entered on October 28, 2004 (the “Appeal”);

AND WHEREAS, pursuant to Bankruptcy Rule 8001(c)(2), the parties to this action have entered into a Stipulation of Agreement of Voluntary Dismissal of the Appeal dated July 8, 2005.

NOW THEREFORE, IT IS HEREBY ORDERED that:

The Appeal is hereby dismissed.

IT IS FURTHER ORDERED that:

The parties shall bear any costs or fees associated with this appeal or the voluntary dismissal thereof, such costs and fees to be borne by that party which incurred the respective cost or fee.

Dated: _____, 2005

Honorable Joseph J. Farnan
United States District Judge